

REMARKS

The claims in the application are 28-54 and Claims 55-60 added by the present amendment.

Favorable reconsideration of the application as amended is respectfully requested.

The present amendment is being made in accordance with a telephone interview between the Examiner in charge of the above-identified application and the undersigned attorney on Thursday, May 12, 2005. The courtesy extended by the Examiner in arranging for and conducting the telephone interview is greatly appreciated.

Claims 28, 34, 35, 42, 43, 47 and 54 have been amended to explicitly address the objection raised in paragraph 1 on page 2 of the Final Office Action, as discussed during the telephone interview (Claim 45 has been amended to correct a minor typographical error). The amendments to the claims including Claims 55-60 introduced herein, find clear support throughout the present application text and drawings.

For example, the paragraphs bridging pages 2-3, 11-12 and 16-17 plus Figs. 2 and 8 all quite clearly describe and illustrate means for calculating whether the coordinates transmitted by the radio cell lie within the subscriber area, as recited in independent Claim 28. The amendment to Claim 34 finds support, e.g., in the last full paragraph on page 4 of the specification and Claim 7 where it is stated the first subscriber number can constitute a mobile subscriber number and the second subscriber number can constitute a number in the fixed network, i.e., a geographic number. The amendment to

Claim 35 finds support at the top of page 5 of the specification and Claim 8 where it is stated the subscriber code (identity) module contains at least one storage area (cache) containing the subscriber area.

The amendment to Claim 42 finds support, e.g., in the second full paragraph on page 6 of the specification, Claim 15, the last full paragraph on page 14 of the specification and Fig. 7 where it is described and illustrated, among other features, the first code (box 102) signals whether a user unit is authorized in the subscriber area, i.e., the subscriber is authorized to activate the communications system. The amendment to independent method Claim 43 finds support at the same locations as support for the amendment to independent Claim 28 *supra*, while the amendment to Claim 47 finds support at the same locations as support for the amendment to Claim 42 *supra*. Additionally, support for the amendment to Claim 54 can be found, e.g., in Claim 27 where it is stated two subscriber numbers are allocated to one subscriber area, i.e., in the subscriber area.

Furthermore, Claims 55-60 introduced herein find support, e.g., in Figs. 1, 2, 7 and 8 and the accompanying description on pages 11-12 and 14-17 of the specification. It is respectfully pointed out recitation found in claims originally-filed with the application form part of the original disclosure and can be relied upon for support, M.P.E.P. §608.01(I). Accordingly, the only outstanding issue is the art rejection of the claims.

More particularly, all pending Claims 28-54 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Pat. No. 5,568,153 to Beliveau in paragraph 3 of the Final Office Action. However, it is respectfully submitted the claimed invention is neither anticipated by nor rendered obvious over Beliveau for the following reasons.

It is asserted by the Examiner on page 2, last paragraph of the Final Office Action that Beliveau discloses at least one radio cell arranged in the overall area and which transmits a signal containing coordinates. It is further asserted that means are provided for calculating whether the coordinates transmitted by the radio cell responsible for transmission lie within the subscriber area, citing the abstract, figure 1, figure 2, column 4, lines 49 - 61 as well as column 5, lines 15 - 35.

However, the abstract of Beliveau neither discloses nor renders obvious providing a radio cell which is arranged for transmitting a signal containing the coordinates characteristic for a cell. The abstract merely states the home area of the subscriber may be defined by a center of the home area as well as a radius which is the border of the home area defined for the subscriber. The same applies for figure 1 of Beliveau which shows the personal home area 10 of a subscriber as a circular area with home street address 12 as the center. Reference numeral 13 defines the cells of the telecommunication network.

Figure 2 of Beliveau also fails to either disclose or render obvious providing a radio cell which transmits its coordinates on the basis of which it is determined whether a subscriber is located in its home area. More particularly, Figure 2 is directed to the process of setting up a personal home area. This process requires the OSS (Operation Support System) to retrieve the geographic coordinates of the subscriber's address which are then transmitted to a Home Location Registry (HLR) for entry into the subscriber's profile record. The details of this process are outlined at column 5, lines 14 - 35. It is clear from this portion of the specification the program which is referred to in

figure 2 is the setup of a personal home area and does not refer to a method of locating mobile stations in a cellular network, which process is referred to in the same column beginning from line 36.

Column 5, lines 15 to 35 of Beliveau describes that, based on the subscriber's home street address a geographic information data base is accessed and transforms the subscriber's home street address into coordinate information. The data of the personal home area are then transmitted to the HLR along with specific services to be applied within this personal home area, such as a certain tariff system.

As pointed out above, the next paragraph in column 5, beginning with line 36, refers to methods of locating mobile stations in a cellular network. The methods which are described for locating mobile stations are based on the measurement of differences in times of arrival of mobile station transmissions at several cell sites or via satellite systems such as a Global Positioning System (GPS). An alternative method based on a search list of candidate handoff cells is further described. The method of measuring the differences in times of arrival of mobile station transmissions at several cell sites is illustrated in Figure 3; it is stated at column 6, lines 21 - 23, the location is the intersection of three or more radii.

It is stated in the next paragraph (column! 6, lines 24 - 28) of Beliveau that after determining the current location of the subscriber based on latitude and longitude coordinates, it is determined whether the mobile station is within the subscriber's home area. The home area may be defined as outlined above by a center and a radius. As soon as the coordinates of the current location of the subscriber are known, it is possible to determine whether or not the mobile station is within the subscriber's home area.

However, the present invention is not directed to the general teaching of determining whether or not the subscriber is in the home area, but to a certain method of determining whether a mobile station is located in a personal home. Nothing in Beliveau discloses that for this purpose, a radio cell transmits its coordinates which are then compared with the stored home area coordinates.

It is true column 4, lines 49 - 61 of Beliveau discloses the cell information (position, and antenna type and radius) is, *inter alia*, used to determine if the subscriber's call is set up in the home area. However, in the same paragraph, it is stated in line 58 that the subscriber's location is one of the parameters which is necessary to determine if the subscriber's call is set up in the home area. In other words, this paragraph of the specification is directed to a general working mode of the Mobile Switching Center (MSC) or Service Control Point (SCP) and requires that the subscriber's location is known. Nothing in this paragraph discloses or renders obvious that the coordinates of the radio cells are transmitted in order to gather information referring to the current subscriber's location.


The Examiner further cited column 5, lines 3 - 13 of Beliveau. This portion of Beliveau states the amount of data is minimized since operators need not designate several cells instead of just a single cell to represent the home area of the subscribers. This paragraph refers to the fact the invention outlined in Beliveau does not require the storage of a list of cell or location area identifications, but simply the center and the radius of a home area. However, this has nothing to do with the question of determining the current location of the subscriber and accordingly whether or not the subscriber is located within a home area.

Accordingly, in view of the forgoing amendment, accompanying remarks and telephone interview in the above-identified application, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any question. A transmittal for filing a Request for Continued Examination (RCE) is enclosed together with a Fee Transmittal and Petition for Three Month Extension of Time under 37 C.F.R. §1.136(a) plus the fees for filing the RCE, extension of time and additional claims introduced herein.

Early favorable action is earnestly solicited.

Respectfully submitted,

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